

REMARKS

In the Office Action, the Examiner objected to the drawings as not showing the connection of the control panel to the stand as more centered than off-centered. The Figures, including Fig. 2, show the connection being centered. In Figure 2, the connection is centered along one dimension (e.g. laterally). Claims 1 and 22 have been amended without narrowing to clarify the dimensional consideration.

Claims 1-31 are pending in the application. Claims 1-31 are rejected.

The Examiner rejected claims 13, 14, 16-21, 23, and 24 pursuant to 35 U.S.C. §102(b) as anticipated by or, in the alternative, pursuant to 35 U.S.C. §103(a) as obvious over Jingu et al. (U.S. Patent No. 5,129,397). Independent Claim 13 recites a transducer connector connected with the stand where a top of the transducer connector is below a top of a display and above a lowest portion of a control panel. Independent Claim 23 recites connecting a transducer connector such that a top of the transducer connector is below a top of a display and is above a lowest portion of the control panel. Jingu et al. do not disclose these limitations.

Because Fig. 2 of Jingu et al. clearly show the transducer connector 82 entirely below the control panel 46, the Examiner relies on Figures 11-13. Figures 11-13 do not show a transducer connector. Fig. 11 shows a loop of cable by a cable rack 114 for storing probes not being used. Fig. 13 details the cable rack 114, including sharing the low hanging loop of cable 118. Fig. 13 further shows the cable 118 going past a rack 122 and downwards past a shaft 120. The downward orientation of the cable 118 indicates that the transducer connector is on the base 100 and/or clearly below the control panel 108. The downward extent indicates a lower position of the transducer connector than the control panel 108. In the embodiments of Figs. 11-14, Jingu et al. do not explicitly disclose the top of the transducer connector being above the lowest portion of the control panel. Thus Jingu et al. do not anticipate claims 13 and 23.

Claims 13 and 23 are not obvious from Jingu et al. As shown, the downward orientation of cable in Fig. 13 suggests a transducer connector as described for Fig. 2 on the base, well below the control panel. The embodiment of Fig. 2 makes a same suggestion by explicitly providing the transducer connector on the base below the control panel. The device of Figure 11-14 allows rotation of the control panel relative to the base. However, there is no suggestion to rotate the lowest portion of the control panel to a location lower than the top of the base. Fig. 14 suggests different positions for the control panel relative to the base, all above the base. Further rotation than

shown in Figure 14 is not suggested. A person of ordinary skill in the art would not have provided further rotation. Further rotation would result in the user having to bend over uncomfortably for use and would greatly increase the area needed for the system in a crowded medical environment. Even with the ability to adjust, there is no suggestion to adjust to the point that the lowest portion of the control panel is below a top of the base and any top of a transducer connector.

Dependant Claims 14-21 and 24 are allowable for at least the same reasons as independent base claims 13 and 23. As discussed above, rearranging of parts to result in the arrangement of claim 14 is contrary to the shown adjustability and actual usage considerations of Jingu et al., so would not have been obvious.

The Examiner rejected 1-12, 22, and 26-31 pursuant to 35 U.S.C. §103(a) as being unpatentable over Jingu et al. Claims 15 and 25 were rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over Jingu et al. in view of Clark et al. (U.S. Patent No. 6,493,220).

Independent Claims 1 and 22 recite a control panel connected to the stand at a position more centered than off-centered on the control panel. The connection is not a mere rearrangement of parts as characterized by the Examiner. Jingu et al. disclose a different arrangement with an off center connection (Figs. 2, 30 and 7). Jingu et al further provide reasons for this arrangement. Jingu et al. desire to maximize the degree of freedom of operation (col. 5, lines 47-55). Accordingly, the off-center connection of Jingu et al. allows for rotating the control panel away from the base or stand, such as rotating the control panel by 90 degrees to provide the control panel without any of the stand under the control panel (col. 4, lines 9-11 and Figs. 4 and 7). The extension and rotation of Jingu et al. maximizes the degree of freedom available to the user. The stand may be positioned away from a patient bed while the control panel is positioned adjacent to the bed. Conversely, any control panel connected at a more centered location results in less freedom. The control panel is over the base, at least in part, in any rotation except possibly a 180 degree rotation (centered connection along a back edge). Centering the connection reduces versatility, but Jingu et al. disclose maximizing the degree of freedom of operation. Applicants respectfully submit that a person of ordinary skill in the art would not have used a more centered connection with Jingu et al., as the more centered connection limits the degree of freedom. Given the disclosures of Jingu et al., the mere rearrangement as suggested by the Examiner would not have been provided by a person of ordinary skill in the art and is improperly using hindsight.

Dependent claims 2-12 and 25-27 are allowable for at least the same reasons as discussed for independent base claim 1. As discussed above for claim 14, the limitations of claim 8 are not suggested. As discussed above for claims 13 and 23, the limitations of claim 9 are not suggested. As discussed below for claim 28, the limitations of claim 26 are not suggested. As discussed above for claims 1 and 22, the limitations of claim 27 are not suggested.

Independent Claim 28 recites a control panel connected to and mounted on the stand. The Examiner cites to the ability to hold a translated arm plate (col. 4, lines 51-55) for this limitation. Figure 5 shows the mechanism allowing components to translate and releasably lock the moveable components in place (col. 4, lines 56-66). In the section regarding §112 on page 3 of the July 28, 2005 Office Action, the Examiner notes a meaning of "mounted" as "can not rotate relative to the stand" and alleges this meaning as provided by the Applicants. However, and as noted in the previous Second Response of May 9, 2005, "mounted on" means fixed or not capable of rotation, like a diamond mounted in a setting. Because Jingu et al. allows rotation, the control panel of Jingu et al. is not connected to and mounted on the stand. Even though Jingu et al. may lock the rotation or translation, the ability to unlock and provide movement shows that Jingu et al. do not mount the control panel to the stand. Even when temporarily locked, the control panel is not mounted to the stand. Jingu et al. desire versatility, and so use a lockable but moveable connection.

Dependent claims 29-31 depend from independent base claim 28, and are thus allowable for at least the same reasons.


CONCLUSION

Applicants respectfully submit that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, he is respectfully requested to call the undersigned at (650) 943-7350 or Craig Summerfield at (312) 321-4726.

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